

IN RE: PETITION FOR ZONING VARIANCE  
S/S Washington Boulevard, 275'  
E of Old Washington Road  
(4121 Washington Boulevard)  
13th Election District  
1st Councilmanic District  
John Dietz, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 91-500-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 9 feet each in lieu of the required 30 feet for both and a rear yard setback of 15 feet in lieu of the required 30 feet for an existing building and variances from Section 409.8.A.4 of the B.C.Z.R. to permit parking setbacks of 5 feet and 7 feet in lieu of the required 10 feet; from Section Section 409.4C to permit minimum parking aisle widths of 17 feet and 15 feet, respectively, in lieu of the required 20 feet; from Section 409.11 that the property owner not be required to provide a loading area; from Section 409.8A.2 to permit a crusher run surface in lieu of the required paving or macadam surface; and from Section 409.8.A.6 that the property owner not be required to provide permanently striped parking areas, all as more particularly described on Petitioner's Exhibit 1.

The Petitioners were represented by S. Eric DiNenna, Esquire. Also appearing on behalf of the Petition were Harry Huntsman, adjoining property owner, and Paul Lee, Professional Engineer. There were no Protestants.

Testimony indicated that the subject property, known as 4121 Washington Boulevard, consists of 5,986 sq.ft. zoned B.R.-C.S.1 and is improved with an auto parts warehouse and accessory wholesale sales office.

ORDER RECEIVED FOR FILING  
Date 5/31/91  
By JLL

Petitioners are desirous of constructing an addition to the existing building in order to accommodate growing business. Testimony indicated the existing building was constructed in the 1940s and that due to the irregular shape of the lot and location of existing improvements thereon, the requested variances are necessary in order to expand the subject building. Testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of surrounding uses.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested should be granted.

- 2 -

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8th day of August, 1991 that the Petition for Zoning Variance from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 9 feet each in lieu of the required 30 feet for both and a rear yard setback of 15 feet in lieu of the required 30 feet for an existing building and variances from Section 409.8.A.4 of the B.C.Z.R. to permit parking setbacks of 5 feet and 7 feet in lieu of the required 10 feet; from Section Section 409.4C to permit minimum parking aisle widths of 17 feet and 15 feet, respectively, in lieu of the required 20 feet; from Section 409.11 that the property owner not be required to provide a loading area; from Section 409.8A.2 to permit a crusher run surface in lieu of the required paved or macadam surface; and from Section 409.8.A.6 that the property owner not be required to provide permanently striped parking areas, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Prior to the issuance of any permits, Petitioners shall submit a landscape plan for approval by the Deputy Director of Planning and the Baltimore County Landscape Planner. A copy of the approved plan shall be submitted to this office for inclusion in the case file prior to the issuance of any permits.
- 3) The crusher run surface to the rear of the subject property shall be treated twice a year in accordance with DEPRM Article 10.18.03.D to prevent particulate matter from becoming airborne. Petitioner shall maintain permanent records which establish that the re-

ORDER RECEIVED FOR FILING  
Date 5/31/91  
By JLL

- 3 -

quired treatments have taken place in each of the required years from the date of this Order until the subject use ceases on the subject property. Such records shall be made available on demand for inspection by the Zoning Enforcement Division of the Office of Zoning.

4) The Petitioner currently uses the existing driveway, located on both his property and the adjoining property at 4123 Washington Boulevard as depicted on Petitioner's Exhibit 1, to gain access to the rear of the subject site. Prior to the issuance of any permits for his property, the Petitioner shall cause to be recorded among the Land Records of Baltimore County an easement agreement with the owner of 4123 Washington Boulevard in which they grant each other, their heirs, successors and assigns and any future transferee of the subject property the right to use the driveway in perpetuity for ingress and egress. This easement agreement shall run with the land. A copy of the recorded agreement shall be submitted to this Office for inclusion in the case file prior to the issuance of any permits.

5) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this order.

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 5/31/91  
By JLL

- 4 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

August 28, 1991

S. Eric DiNenna, Esquire  
409 Washington Avenue, Suite 600  
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE  
S/S Washington Boulevard, 275' E of Old Washington Road  
(4121 Washington Boulevard)  
13th Election District - 1st Councilmanic District  
John Dietz, et ux - Petitioners  
Case No. 91-500-A

Dear Mr. DiNenna:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File

### PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section See Attached.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Existing uses;
2. Irregular shape of property;
3. Need for expansion.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I We do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State

Legal Owner(s):  
John Dietz  
(Type or Print Name)  
Signature  
Patricia M. Dietz  
(Type or Print Name)  
Signature  
Address  
City and State

Attorney for Petitioner:  
S. Eric DiNenna, Esquire  
(Type or Print Name)  
Signature  
409 Washington Ave., Ste. 600  
Address  
Towson, Maryland 21204  
City and State  
Attorney's Telephone No. 296-6820

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
S. Eric DiNenna, Esquire  
Name  
409 Washington Ave., Ste. 600  
Towson, MD 21204; 296-6820  
Address  
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 8th day of August, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of August, 1991, at 9 o'clock

FILED 5/31/91 BY JLL  
ANY TIME ON DAY  
JHR:HRG

PET. REQUESTS TO BE HEARD TOGETHER (over)  
WITH ITEM 446

4121 Washington Boulevard

1. Section 238.2 to permit side yards of 9 feet in lieu of the required 30 feet;
2. Section 238.2 to permit a rear yard of 15 feet in lieu of the required 30 feet;
3. Section 409.8A4 to permit 5 feet and 7 feet in parking setbacks in lieu of the required 10 feet;
4. Section 409.4C to permit a minimum parking isle width of 17 feet and 15 feet respectively in lieu of the required 20 feet;
5. Section 409.11 that the property owner not be required to provide a loading area;
6. Section 409.8A.2 to allow driveways in parking area not to be paved or macadamed, but to have a crusher run surface;
7. Section 409.8A6 that the property owner not be required to provide permanently striped parking areas.

Paul Lee P.E.

Paul Lee Engineering, Inc.  
304 W. Pennsylvania Ave.  
Towson, Maryland 21204  
301-821-3261

#### DESCRIPTION

#4121 WASHINGTON BOULEVARD  
THIRTEENTH ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point located on the south side of Washington Boulevard, said point also being N 45°25'00" E 275 feet ± from the center of Old Washington Road; thence binding on the south side of Washington Boulevard, (1) N 45°25'00" E 50.06 feet, thence leaving said south side of Washington Boulevard, (2) S 48°06'10" E 132.36 feet to the north side of Old Washington Road, thence binding on the north side of Old Washington Road, (3) S 71°27'10" W 57.48 feet, thence leaving said north side of Old Washington Road, (4) N 48°06'10" W 107.09 feet to the point of beginning.

Containing 5,986 square feet of land, more or less.



Engineers - Surveyors - Site Planners 4/18/91  
J.O. 91003

41-500-A

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 13th Date of Posting: August 4, 1991

Posted for: variance

Petitioner: John Dietz, et ux

Location of property: 4121 Washington Boulevard, 275' E of Old Washington Road, 4121 Washington Boulevard

Location of signs: on front of 4121 Washington Boulevard

Remarks: \_\_\_\_\_

Posted by: John Dietz Date of return: August 2, 1991

Number of signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD. 8/1, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/1, 1991

**THE JEFFERSONIAN.**  
S. Zebe Orman  
Publisher

\$ 76.67

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

COPY

DATE: 8/1/91

RE: Case Number: 91-500-A  
S/S Washington Boulevard, 275' E of Old Washington Road  
4121 Washington Boulevard  
13th Election District - 1st Councilmanic  
Petitioner(s): John Dietz, et ux  
HEARING: TUESDAY, AUGUST 27, 1991 at 9:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 76.67 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

cc: S. Eric DiNenna, Esq.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

COPY

DATE: 8/1/91

RE: Case Number: 91-500-A  
S/S Washington Boulevard, 275' E of Old Washington Road  
4121 Washington Boulevard  
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ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

cc: S. Eric DiNenna, Esq.

## CERTIFICATE OF PUBLICATION

TOWSON, MD. 8/1, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in the ARBUTUS TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/1, 1991

**ARBUTUS TIMES**  
S. Zebe Orman  
Publisher

\$ 76.67

## receipt

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R 0016150  
Number

Date: \_\_\_\_\_

ITEM	QTY	PRICE
1. ZONING SIGN & POST SET(S)	1	\$175.00
2. ZONING SIGN & POST SET(S)	1	\$175.00
TOTAL:		\$350.00

PAID BY: DIETZ

04A04H0032HICRC \$175.00

Please Make Checks Payable To: Baltimore County 04103FMD5-21-91

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

July 31, 1991

S. Eric DiNenna, Esquire  
409 Washington Avenue, Suite 600  
Towson, MD 21204

RE: Item No. 445, Case No. 91-500-A  
Petitioner: John Dietz, et ux  
Petition for Zoning Variance

Dear Mr. DiNenna:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,  
James E. Dyer  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. John Dietz  
4121 Washington Blvd  
Halethorpe, MD 21227

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 5th day of June, 1991.

Arnold Jablan  
ARNOLD JABLAN  
DIRECTOR

Received By: John Dietz  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: John Dietz, et ux  
Petitioner's Attorney: S. Eric DiNenna

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: John Dietz/Harry J. Huntsman, Item No. 445 and 446

DATE: June 27, 1991

In reference to the petitioners' request, staff offers the following comments:

Based upon a site visit to the property and the information provided, this office recommends that the applicants' requested setback variances be granted conditioned upon the following:

- The auto parts building at 4121 Washington Boulevard suffers from a degree of deferred maintenance. For example, the building needs painting and a 4'x 8' sign affixed to the front wall should be replaced.
- The rear of both properties have no provision for the screening of abutting residential properties. Therefore, a fence should be erected on the applicants' sites with suitable landscaping facing the homes along Old Washington Road.
- The applicants should file a landscape plan with the Baltimore County landscape planner for approval by the deputy director of the Office of Planning and Zoning. Subsequent to approval of the plan, it shall be submitted to the zoning office and maintained in the official file. While staff does not generally support variances to the required durable and dustless surface regulations, in this case, we defer to the Department of Environmental Protection and Resource Management whose input in this particular case is important due to the location of a drainage swale.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm  
ITEM445.446/ZAC1

Rec'd - Jan 1991

BALTIMORE COUNTY, MARYLAND  
Inter-office Correspondence

TO: Zoning Commissioner, Office of Planning & Zoning

FROM: Robert C. Merrey, Jr., Esq.

DATE: June 13, 1991

SUBJECT: Zoning Variance Request, ZAC #445

Property Owner: John Dietz

Location: 4121 Washington Boulevard

Existing Zoning: B.R.-C.S.-1

Area: 5,986 square feet

District: 13th Election District, 1st Councilmanic District

This office recommends approval of crusher-run "crushed stone" in lieu of the required durable and dustless surface for the parking area. All crusher-run surfaces are to be treated in accordance with Environment Article 26.11.06.03 D (2) in order to prevent particulate matter from becoming airborne. Treatment and maintenance of this surface is an owner responsibility and will be on a continuing basis as necessary to control airborne particulate.

tk

cc: Zoning Variance File



J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: JOHN DIETZ  
Location: #4121 WASHINGTON BOULEVARD  
Item No.: 445 Zoning Agenda: JUNE 4, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/KFK

BALTIMORE COUNTY, MARYLAND  
INTER OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 3, 1991  
FROM: Robert W. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting  
for June 4, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 431, 441, 442, 443, 448, 449, and 451.

For Items 432, 439 and 444, the previous County Review Group comments are still applicable.

For Items 445, 446, 450 and 453, County Review Group Meetings are required.

For Item 447, this site is subject to the previous minor subdivision comments.

*[Signature]*  
Robert W. Bowling, P.E., Chief,  
Developers Engineering Division

RWB:s

received  
12/1/91

91-500-A 8-27

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: August 22, 1991

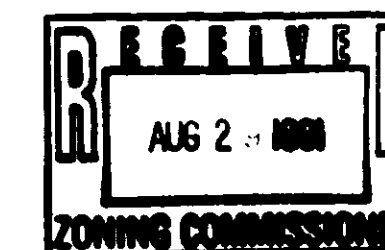
TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: June 4, 1991

ITEM NUMBER: 445



The proposed parking spaces may be difficult to utilize.

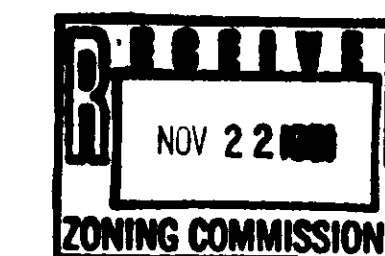
*[Signature]*  
Rahee J. Famili  
Traffic Engineer II

KBF/lvd

Paul Lee P.E.

Paul Lee Engineering Inc.  
303 W. Pennsylvania Ave.  
Towson, Maryland 21204  
410-821-5341

November 22, 1991



Mr. Timothy M. Kotroco  
Deputy Zoning Commissioner  
Baltimore County  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: #4121 and 4123 Washington Boulevard  
Case #91-500-A and #91-501SPHA

Dear Mr. Kotroco:

Relative to the restrictions as set forth in your order dated 8/26/91 with regards to the Special Hearing and Zoning Variances for the above mentioned properties, please find enclosed herewith one print of the Landscape Plan which was signed by Mr. Pat Keller, Deputy Planning Director, as required in your order.

Trusting the enclosed is satisfactory, I am,

Yours sincerely,

*[Signature]*  
Paul Lee

PL:t1  
Enclosure  
cc: Mr. Pat Keller  
Mr. John Dietz  
Mr. Harry Huntsman  
Mr. Avery Hardin w/enc.

Engineers — Surveyors — Site Planners

DINENNA AND BRESCHI  
ATTORNEYS AT LAW

S. ERIC DINENNA, P.A.  
GEORGE A. BRESCHI, P.A.  
FRANCIS X. BORGHERING, JR.  
2150 MEMBER OF DISTRICT OF  
COLUMBIA BAR

June 20, 1991

ZONING OFFICE

RE: 4123 & 4121 Washington Blvd.  
Petitioners: Huntsman & Dietz

Dear Mr. Jablon:

Please be advised that the above-captioned matters have been filed for variances.

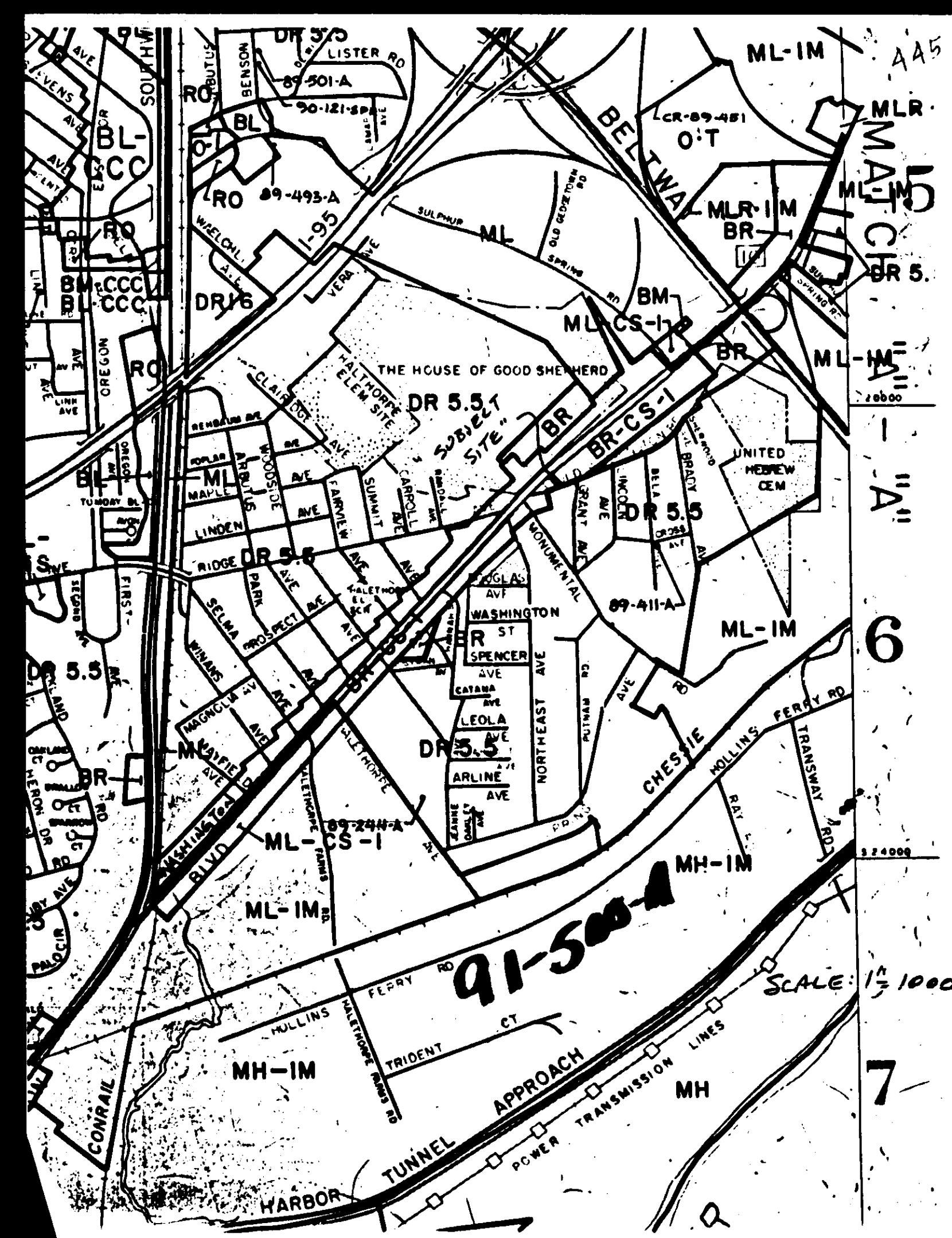
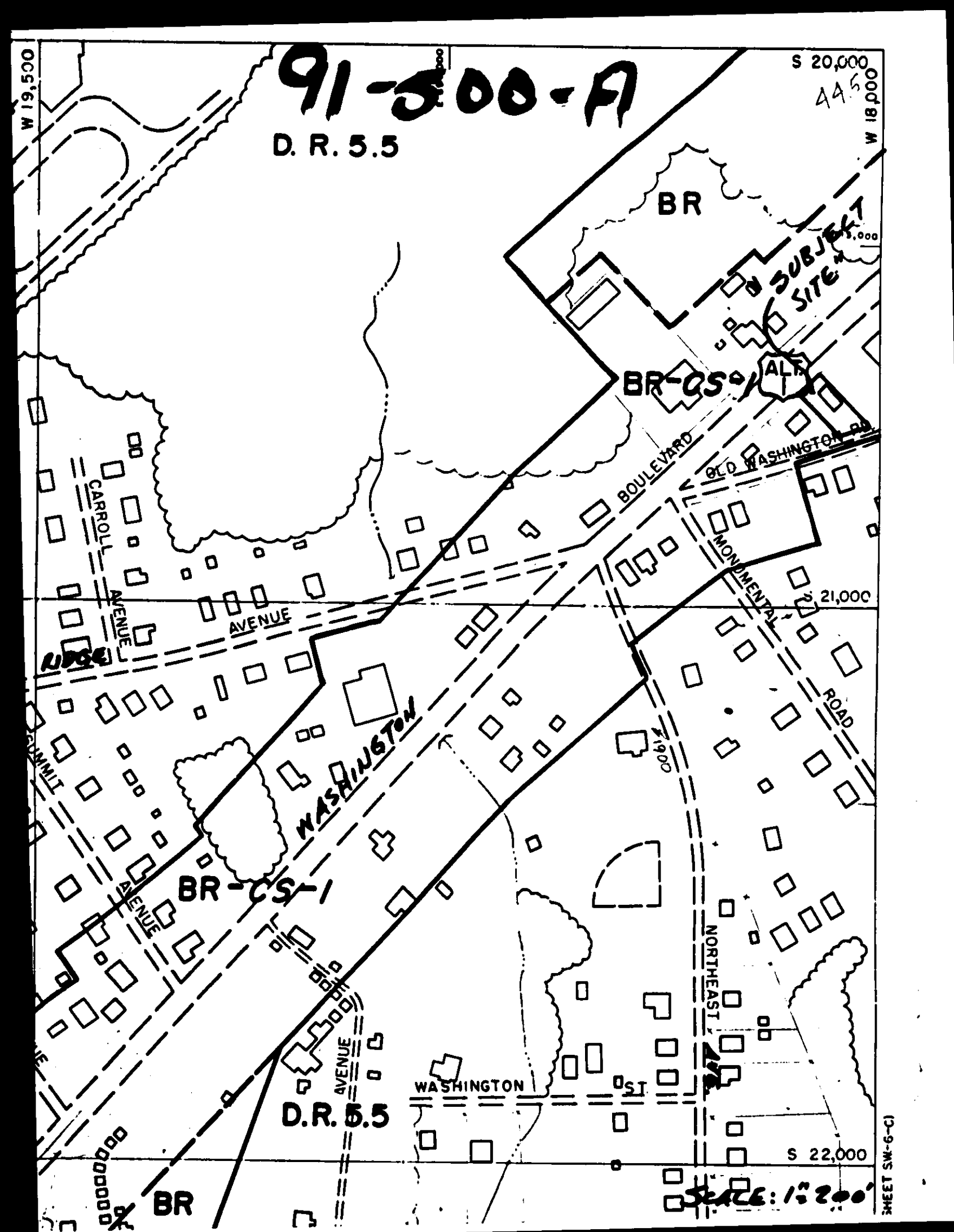
It is imperative that my clients obtain a hearing as soon as possible and I respectfully request that you have the matter set in for hearing before the Zoning Commissioner or his Deputy as soon as possible.

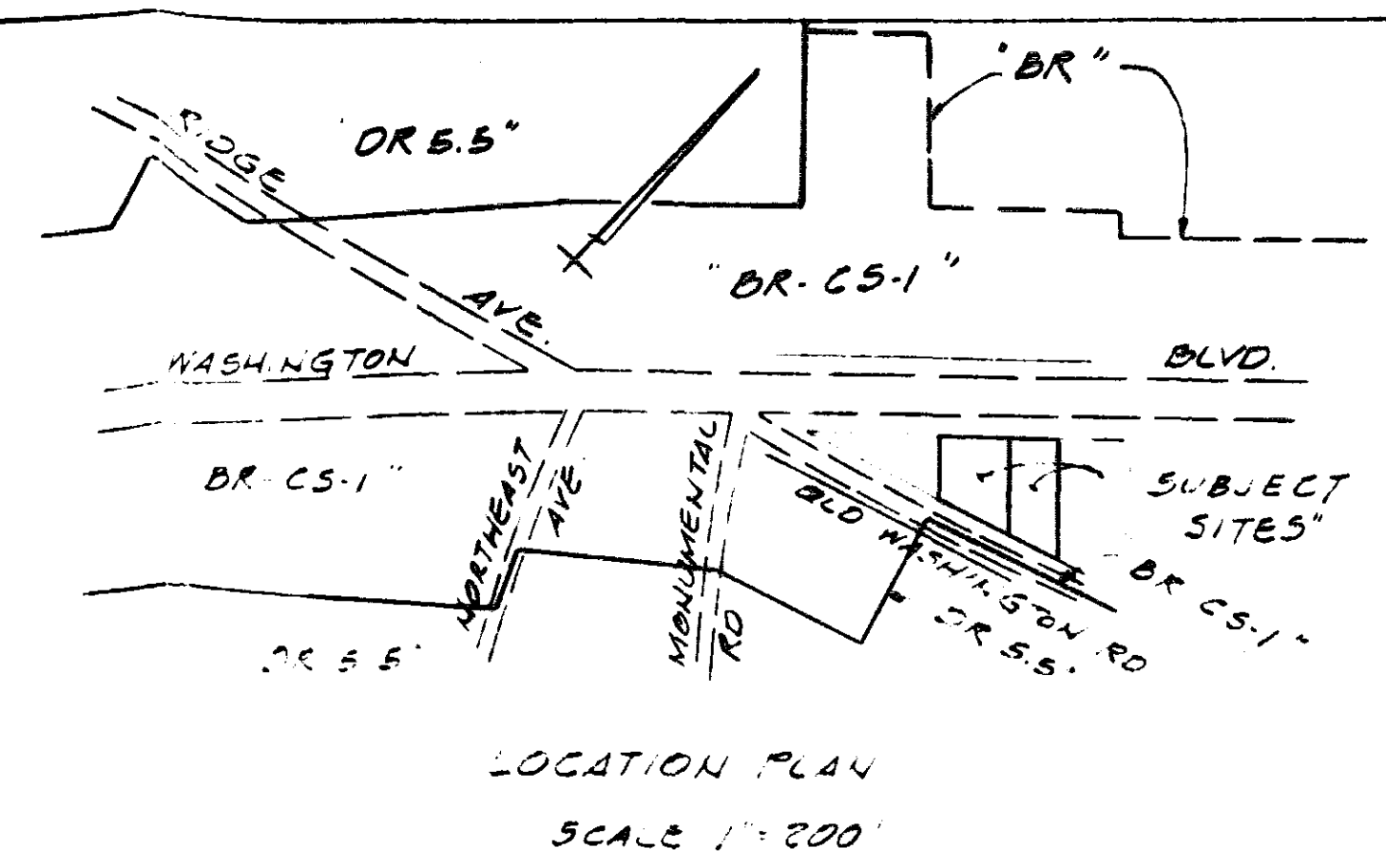
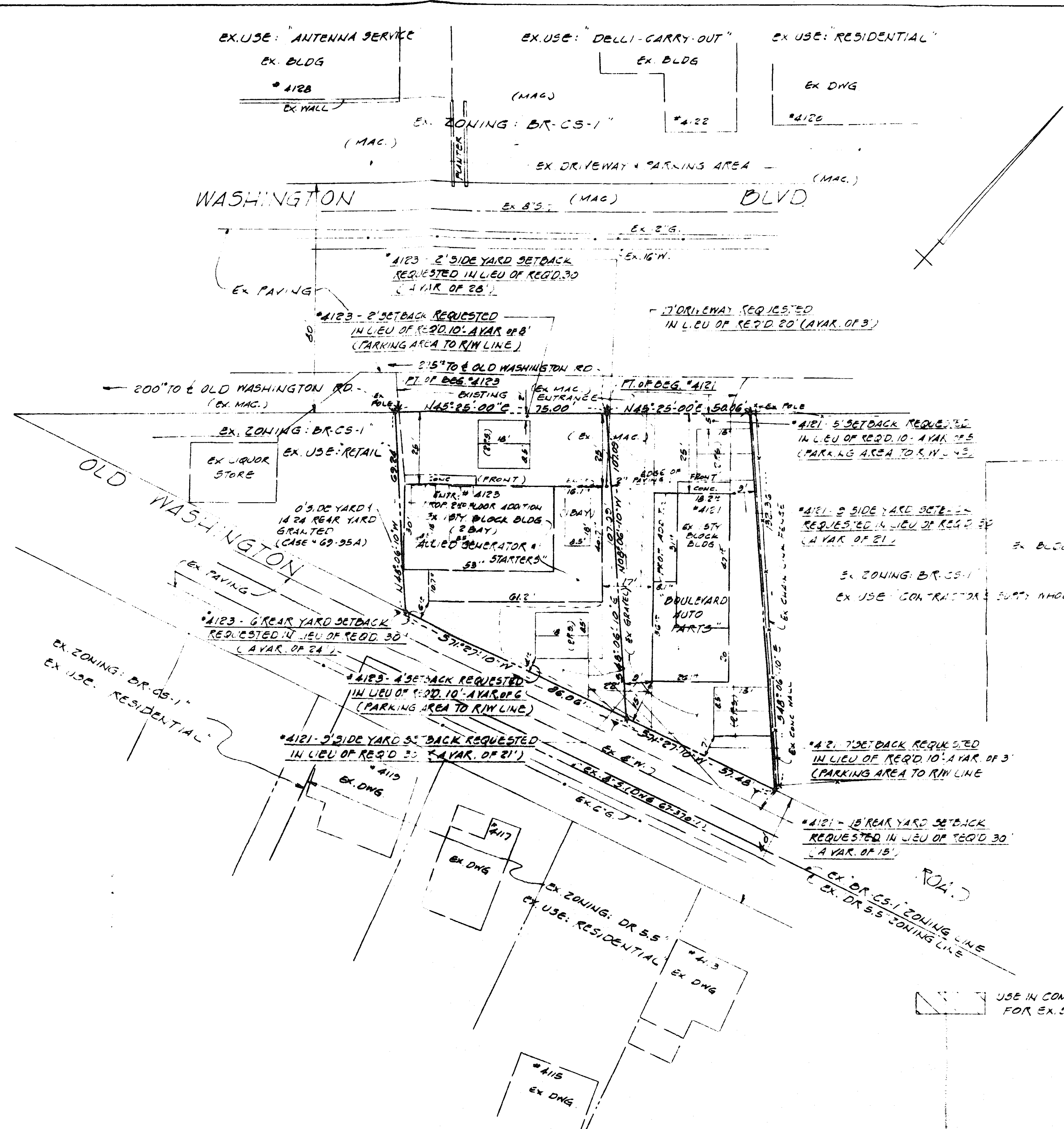
Construction has begun on both properties and there seems to be a problem with reference to the setback requirements, etc. It is important that my clients proceed with construction as soon as possible and cannot do so until such time as the zoning hearing is conducted and a final decision is made thereon.

Thank you for your cooperation.

Very truly yours,  
*[Signature]*  
S. ERIC DINENNA

SED:cjc  
cc: Mr. James Huntsman  
Mr. and Mrs. John Dietz





**GENERAL NOTES**

- |  |  |   |
|--|--|---|
| 1. AREA OF PROPERTY  | 4121 WASHINGTON BLVD                         | 4123 WASHINGTON BLVD                    |
| 2. EXIST. ZONING OF PROPERTY   | 5,986 S.F. (GROSS - 7,488 S.F.)              | 6,612 S.F. (GROSS - 8,862 S.F.)         |
| 3. EXIST. USE OF PROPERTY  | BR. CS-1                                     | BR. CS-1                                |
| 4. PROP. ZONING OF PROPERTY  | AUTO PARTS WAREHOUSE ACCESSORY               | GENERATOR (STARTER SERVICE GARAGE)      |
| 5. PROP. USE OF PROPERTY   | BR. CS-1                                     | BR. CS-1                                |
| 6. OFF STREET PARKING REQ'D  | AUTO PARTS WAREHOUSE ACCESSORY               | GENERATOR (STARTER SERVICE GARAGE)      |
| 7. PETITIONER REQUESTING A SPECIAL HEARING TO A RECD SITE PLAN   | 20,000 S.F. (GROSS) 5,100 S.F. (NET)         | 2750 S.F. (GROSS) 3,300 S.F. (NET)      |
| 8. PETITIONER REQUESTING A VARIANCE TO A RECD SITE PLAN  | 368 S.F. WAREHOUSE 175 S.F. (2) 375 S.F. (2) | 130 S.F. WAREHOUSE (1 EMP.)             |
| 9. PETITIONER REQUESTING A VARIANCE TO A RECD SITE PLAN  | 17' 11" IN LIEU OF REQ'D 20' (3' 5" VAR)     | 7' 11" IN LIEU OF REQ'D 20' (3' 5" VAR) |
| 10. PETITIONER REQUESTING A VARIANCE TO A RECD SITE PLAN   | 5' 9" IN LIEU OF REQ'D 10' (5' 3" VAR)       | 3' 4" IN LIEU OF REQ'D 10' (3' 4" VAR)  |
| 11. PETITIONER REQUESTING VARIANCE TO NUMBER OF PARKING SPACES   | REQ'D 1, SECT. 409.642 OF BCZR               | NOT REQUIRED                            |
| 12. PETITIONER REQUESTING VARIANCE TO MIN. PARKING AISLE WIDTH   | SECT. 409.642                                | NOT REQUIRED                            |
| 13. PETITIONER REQUESTING VARIANCE TO NOT REQUIRE A LOADING AREA   | AS REQUIRED (SECT. 409.11)                   | REQUIRED                                |
| 14. PETITIONER REQUESTING A VARIANCE TO SECT. 409.842 OF BCZR TO ALLOW DRIVEWAYS & PARKING AREA NOT TO BE PAVED OR MACADAMED BUT TO HAVE A CRUSHER RUN SURFACE | REQUIRED                                     | REQUIRED                                |
| 15. PETITIONER REQUESTING A VARIANCE TO SECT. 409.842 OF BCZR FROM REQ'D PERMANENTLY STRIPED PARKING AREA  | REQUIRED                                     | REQUIRED                                |
| 16. PUBLIC UTILITIES AVAILABLE TO SITES  | PERMITTED F.A.R. - 2                         | PERMITTED F.A.R. - 2                    |
| 17. COMMON DRIVEWAY EASEMENT TO BE RECORDED FOR ACCESS   | EXIST. F.A.R. - 1750/7488-0.23               | EXIST. F.A.R. - 4340/8862-0.49          |
| 18. F.A.R. PERMITTED   |  |   |

**91-500-A**

#445

NOTE: NO STORAGE OF DAMAGED OR DISABLED MOTOR VEHICLES OR PARTS IS PROPOSED

PLAT TO ACCOMPANY PETITION FOR  
**VARIANCES & SPECIAL HEARING**  
**\*4121 & \*4123 WASHINGTON BOULEVARD**  
 13TH ELECT. DIST.  
 SCALE: 1" = 20'

BALTIMORE COUNTY, MD.  
 APRIL 18, 1991

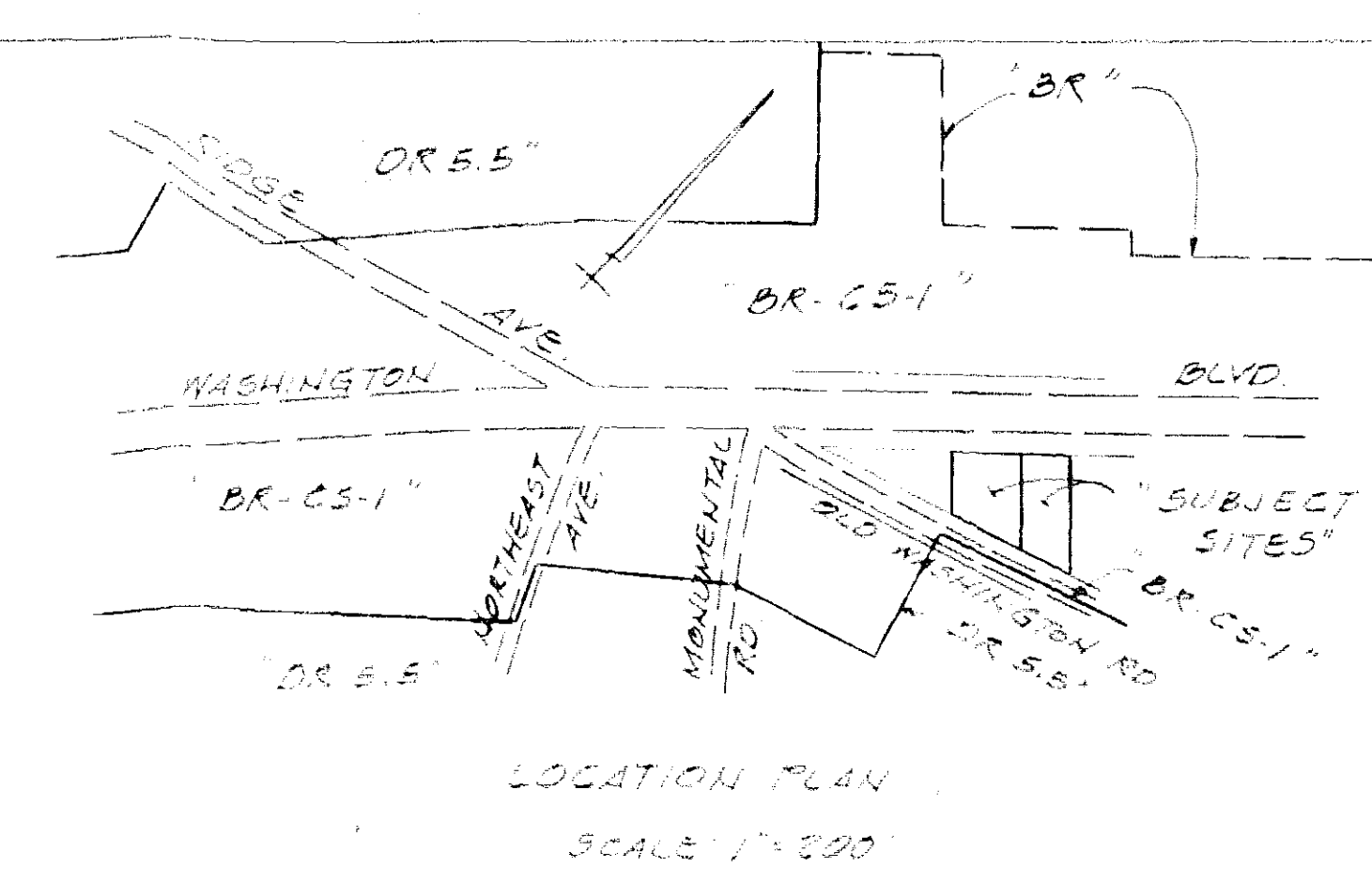
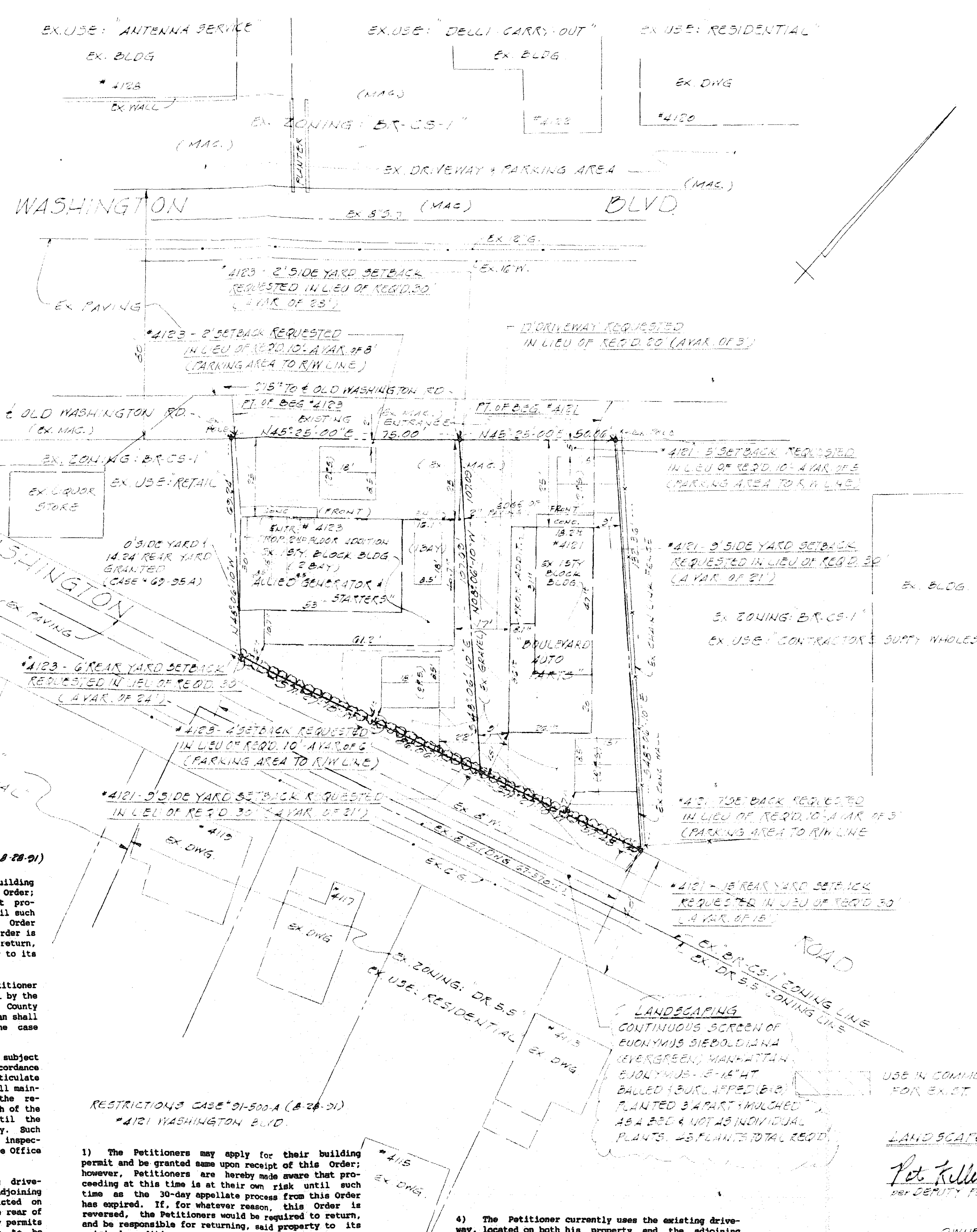
**OWNERS:**  
 BOULEVARD AUTO PARTS  
 JOHN DIETZ  
 4121 WASHINGTON BLVD  
 HALETHORPE, MD. 21227

ALLIED GENERATORS & STARTERS  
 HARRY J. HUNTSMAN  
 4123 WASHINGTON BLVD  
 HALETHORPE, MD. 21227

PAUL LEE ENGINEERING, INC.  
 304 W. PENNSYLVANIA AVENUE  
 TOWSON, MARYLAND 21204







GENERAL NOTES	4123 WASHINGTON BLVD	4121 WASHINGTON BLVD
1. AREA OF PROPERTY	5,986.57 (3,735.74 2,250.83)	2,012.34 (1,885.86 1,126.48)
2. EXIST. ZONING OF PROPERTY	BR-OS-1	BR-OS-1
3. EXIST. USE OF PROPERTY	AUTO PARTS WAREHOUSE (WHOLESALE SALES OFFICE)	GENERATOR & STARTER SERVICE GARAGE (RETAIL USE)
4. PROPOSED ZONING OF PROPERTY	BR-OS-1	BR-OS-1
5. PROPOSED USE OF PROPERTY	AUTO PARTS WAREHOUSE (WHOLESALE SALES OFFICE)	GENERATOR & STARTER SERVICE GARAGE (RETAIL USE)
6. OFF-STREET PARKING REQ'D	200.58 ACCESSORY WHOLESALE SALES OFFICE	775.00 (51.38 47.34) @ 5.3 1,000.57, 200.58
7. PROPOSED ADDITION	200.58 ACCESSORY WHOLESALE SALES OFFICE	247.11 ADDITION (247.11 1,000.57, 200.58)
8. NO PARKING SPACES SHOWN	4.75	11.03 @ 10.53
9. PETITIONER REQUESTING A SPECIAL HEARING TO AMEND SITE PLAN	NOT REQUIRED	REQUIRED
10. PETITIONER REQUESTING A SIDE YARD VARIANCE (SECT. 235.2 OF BCOR)	15' REAR YARD IN LIEU OF REQ'D 30' (15' VAR.)	6' SIDE YARD IN LIEU OF REQ'D 30' (6' VAR.)
11. PETITIONER REQUESTING A REAR YARD VARIANCE (SECT. 235.2 OF BCOR)	15' REAR YARD IN LIEU OF REQ'D 30' (15' VAR.)	6' REAR YARD IN LIEU OF REQ'D 30' (6' VAR.)
12. PETITIONER REQUESTING A PARKING SETBACK VARIANCE FROM A 10'00' R/W (SECT. 400.8.4.4 OF BCOR)	5' 4" 7' IN LIEU OF REQ'D 10' (5' 4" 7' VAR.)	5' 4" 7' IN LIEU OF REQ'D 10' (5' 4" 7' VAR.)
13. PETITIONER REQUESTING VARIANCE TO NUMBER OF PARKING SPACES (SECT. 400.8.4.4 OF BCOR)	NOT REQUIRED	NOT REQUIRED
14. PETITIONER REQUESTING VARIANCE TO MIN. PARKING AREA WIDTH (SECT. 400.8.4.4 OF BCOR)	NOT REQUIRED	NOT REQUIRED
15. PETITIONER REQUESTING VARIANCE TO NOT REQUIRE A CRUSHER RUN SURFACE (SECT. 400.8.4.4 OF BCOR)	NOT REQUIRED	REQUIRED
16. PETITIONER REQUESTING A VARIANCE TO SECT. 400.8.4.4 OF BCOR FROM TERR. PERMANENTLY STAMPED PAVING AREA	REQUIRED	REQUIRED
17. PUBLIC UTILITIES AVAILABLE TO SITE	PERMITTED P.A.R. - 2	PERMITTED P.A.R. - 2
18. COMMON DRIVEWAY BASEMENT TO BE RECORDED FOR ACCESS	EXIST. P.A.R. - 1752/7455-0.25	EXIST. P.A.R. - 4340/3862-0.49

**RESTRICTIONS CASE #91-501-07HA (8-28-91)**  
4123 WASHINGTON BLVD

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- Prior to the issuance of any permits, Petitioner shall submit a landscape plan for approval by the Deputy Director of Planning and the Baltimore County Landscape Planner. A copy of the approved plan shall be submitted to this office for inclusion in the case file prior to the issuance of any permits.
- The crusher run surface to the rear of the subject property shall be treated twice a year in accordance with DEPRM Article 10.18.03.D to prevent particulate matter from becoming airborne. Petitioner shall maintain permanent records which establish that the required treatments have taken place in each of the required years from the date of this Order until the subject use ceases on the subject property. Such records shall be made available on demand for inspection by the Zoning Enforcement Division of the Office of Zoning.
- The Petitioner currently uses the existing driveway, located on both his property and the adjoining property at 4121 Washington Boulevard as depicted on Petitioner's Exhibit 1, to gain access to the rear of the subject site. Prior to the issuance of any permits for his property, the Petitioner shall cause to be recorded among the Land Records of Baltimore County an easement agreement with the owner of 4121 Washington Boulevard in which they grant each other, their heirs, successors and assigns and any future transferees of the subject property the right to use the driveway in perpetuity for ingress and egress. This easement agreement shall run with the land. A copy of the recorded agreement shall be submitted to this Office for inclusion in the case file prior to the issuance of any permits.
- When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

**RESTRICTIONS CASE #91-500A (8-28-91)**  
4121 WASHINGTON BLVD

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- Prior to the issuance of any permits, Petitioners shall submit a landscape plan for approval by the Deputy Director of Planning and the Baltimore County Landscape Planner. A copy of the approved plan shall be submitted to this office for inclusion in the case file prior to the issuance of any permits.
- The crusher run surface to the rear of the subject property shall be treated twice a year in accordance with DEPRM Article 10.18.03.D to prevent particulate matter from becoming airborne. Petitioner shall maintain permanent records which establish that the required treatments have taken place in each of the required years from the date of this Order until the subject use ceases on the subject property. Such records shall be made available on demand for inspection by the Zoning Enforcement Division of the Office of Zoning.
- When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

**LANDSCAPING**  
CONTINUOUS SCREEN OF EUCALYPTUS, MANHATTAN EVERGREEN, MANHATTAN EUCALYPTUS, 6' TALL  
PAINTED 3 PART MULCH  
PLANTS: 25 PLANTS TOTAL REQ'D

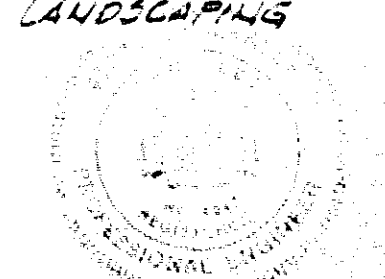
USE IN COMMON BASEMENT FOR EXIST. DRIVEWAY

**LANDSCAPE PLAN APPROVAL**  
Pet. Kellum J.W.L. 11-29-91  
PER DEPUTY PLANNING DIRECTOR - DATE

**OWNERS:**  
BOULEVARD AUTO PARTS  
JOHN DIETZ  
4121 WASHINGTON BLVD  
HALETHORPE, MD 21227  
  
4123 GENERATORS & STARTERS  
HARRY J. HUNTSMAN  
4123 WASHINGTON BLVD  
HALETHORPE, MD 21227

**VARIANCES & SPECIAL HEARING**  
#4121 & 4123 WASHINGTON BOULEVARD  
18TH ELECT. DIST.  
SCALE: 1"=20'  
BALTIMORE COUNTY, MD.

PAUL LEE ENGINEERING, INC.  
304 W. PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204





**DiNENNA AND BRESCHI**  
ATTORNEYS AT LAW

GEORGE A. BRESCHI  
ROBERT A. BRESCHI  
OF COUNSEL  
FRANCIS X. BORGERDING, JR.  
S. ERIC DiNENNA  
MERCANTILE BLDG., SUITE 800  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 586-0880  
FAX (410) 586-0884  
JENKINS & AVALTZ  
OF COUNSEL

November 17, 1994

Timothy M. Kotroco  
Deputy Zoning Commissioner for  
Baltimore County  
Court House  
Towson, Maryland 21204

RE: In Re: John Dietz, et ux.  
Case No.: 91-500-A

Dear Mr. Kotroco:

Enclosed please find a copy of a Deed of Declaration and Easement between Harry Huntsman and Darlene Huntsman, his wife, and John Dietz and Patricia M. Dietz, his wife, and John Michael Dietz and Patricia Colleen Dietz recorded in the Land Records of Baltimore County at Liber 10632 folio 455. The enclosed was filed pursuant to Restriction Number 4 in your Opinion and Order dated August 28, 1991 in case number 91-500-A.

As I have indicated in our previous conversation, S. Eric DiNenna was in the process of coordinating with Paul Lee, a license engineer, in order to prepare the Easement such as the enclosed at the time of his death in November of 1991. In fact, Mr. Lee sent Mr. DiNenna plans and descriptions for the enclosed Easement on November 15, 1991, a few days before Mr. DiNenna's death. Mr. DiNenna's untimely death and in addition the fact that Mr. DiNenna's file relating to this matter was never discovered after Mr. DiNenna's death, accounted for the fact that the enclosed was not filed directly after that time.

The enclosed is being sent along with this cover letter to request that you clarify that, under the circumstances of Mr. DiNenna's death, you do not consider the timeliness of a filing of the enclosed in violation of Restriction Number 4 or your stated intentions in your Opinion dated August 28, 1991 in case number 91-500-A.

Would you please indicate your agreement that under the circumstances you do not consider the timeliness of the filing of the enclosed in violation of Restriction Number 4 or your stated intentions in your Order dated August 28, 1991 in case number 91-500-A.

**DiNENNA AND BRESCHI**  
ATTORNEYS AT LAW

Timothy Kotroco  
Page 2  
November 17, 1994

Thank you for your cooperation with regard to this matter.

Very truly yours,  
FRANCIS X. BORGERDING, JR.

FXBJr:bjk

Reviewed and agreed to:

*Timothy M. Kotroco*  
Timothy M. Kotroco  
Deputy Zoning Commissioner for  
Baltimore County

Date 12/12/94

010632.455

**DEED OF DECLARATION AND EASEMENT**

The Deed and Declaration of Easement made this 3<sup>rd</sup> day of June, 1994 by and between Harry Huntsman and Darlene Huntsman, his wife, ("Huntsman") and John Dietz, Patricia M. Dietz, his wife, ("Dietz") and John Michael Dietz and Patricia Colleen Dietz, ("Remainderman").

WHEREAS, Huntsman is the owner of all that real property described in a Deed dated June 28, 1989 recorded among the Land Records of Baltimore County in Liber 8751, Folio 213, and improvements thereon being known as 4123 Washington Boulevard; and

WHEREAS, Dietz and the Remaindermen are the owners of all the real property described in a Deed dated June 24, 1986 and recorded among the Land Records of Baltimore County in Liber 7209, Folio 771; Dietz therein being granted a life estate with powers the improvements thereon being known as 4121 Washington Boulevard; and

WHEREAS, the aforementioned properties are contiguous lots of ground which said properties share a common driveway for means of ingress and egress in and to Washington Boulevard a public road, lying situate in Baltimore County, State of Maryland; and

WHEREAS, the parties hereto have entered into this Deed of Declaration of Easement to establish, locate and describe the easement area for means of ingress and egress.

NOW THEREFORE, Witnesseth the parties hereto to hereby establish, grant and convey the hereinafter described easement and covenants;

FURTHER WITNESSETH that in consideration of One Dollar (\$1.00) and other good and valuable consideration the receipt and adequacy

AGRICULTURAL TRANSFER TAX  
RECEIVED FOR TRANSFER  
State Department of  
Assessment & Taxation  
Baltimore County  
Date: 12/12/94

**NOTARY**

State of Maryland  
County of Baltimore

I HEREBY CERTIFY that on this 3 day of June, 1994, before me, a Notary Public of the State of Maryland, personally appeared HARRY HUNTSMAN, known to me to be the person whose name is subscribed to the aforesaid instrument, who acknowledged that he executed the same for the purpose therein contained.

*Scott Howard Jordon*  
Notary Public

My Commission Expires: 8/24/97

**NOTARY**

State of Maryland  
County of Baltimore

I HEREBY CERTIFY that on this 3 day of June, 1994, before me, a Notary Public of the State of Maryland, personally appeared DARLENE HUNTSMAN, known to me to be the person whose name is subscribed to the aforesaid instrument, who acknowledged that she executed the same for the purpose therein contained.

*Scott Howard Jordon*  
Notary Public

My Commission Expires: 8/24/97

010632.456

of which is hereby acknowledged, the actual consideration being paid is zero dollars, Dietz, Remaindermen and their personal representatives, heirs, successors and assigns do hereby grant and convey unto Huntsman, their personal representatives, heirs, successors and assigns an Easement for the use and benefit of the property being known as 4123 Washington Boulevard over all that area described in Exhibit A, attached hereto and incorporated herein by way of reference, which said area is shown on the drawing attached hereto as Exhibit A-1; which said easement is granted for the purpose of ingress and egress between the properties of Huntsman, Dietz, the Remaindermen and the public roads bordering said properties. Dietz and the Remaindermen further covenant and agree that no buildings or similar structure shall be constructed in the easement area.

FURTHER WITNESSETH, that in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the actual consideration being paid being zero dollars Huntsman, his personal representative, heirs, successors and assigns do hereby grant and convey unto Dietz and the Remaindermen, their respective personal representatives, heirs, successors and assigns an easement for the benefit of property being known as 4121 Washington Boulevard over all that property described in Exhibit B attached hereto and incorporated herein by way of reference and further shown on the drawing attached hereto as Exhibit B-1; which said easement is for the purpose of ingress and egress between the properties of

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010632.457

Huntsman, Dietz, the Remaindermen and the public roads bordering the said properties. Huntsman further covenants and agrees that no buildings or similar structure shall be constructed in the easement area.

FURTHER WITNESSETH, that in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Huntsman, Dietz and Remaindermen do further agree that the cost of maintaining the easement area shall be evenly divided between the parties hereto.

FURTHER WITNESSETH, that attached hereto as Exhibit C and incorporated herein by reference is a description of the entire easement area which said is recorded for the purposes of clarification and which said area shown on the drawing attached hereto as Exhibit C-1.

This document may be signed in counterparts.

WITNESS the hands and seals of the parties on the date first written above:

**WITNESS:**

*Harry X Huntsman*  
HARRY HUNTSMAN  
*Darlene Huntsman*  
DARLENE HUNTSMAN  
*John Dietz*  
JOHN DIETZ  
*Patricia M. Dietz*  
PATRICIA M. DIETZ  
*John Michael Dietz*  
JOHN MICHAEL DIETZ  
*Patricia Colleen Dietz*  
PATRICIA COLLEEN DIETZ

This is to certify that the within instrument has been prepared by or under the supervision of the undersigned attorney, admitted to practice in Maryland.

*Francis X. Borgerding, Jr.*  
Francis X. Borgerding, Jr.

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010632.459

010632.460

**NOTARY**

State of Maryland  
County of Baltimore

I HEREBY CERTIFY that on this 3 day of June, 1994, before me, a Notary Public of the State of Maryland, personally appeared JOHN DIETZ, known to me to be the person whose name is subscribed to the aforesaid instrument, who acknowledged that he executed the same for the purpose therein contained.

*Scott Howard Jordon*  
Notary Public

My Commission Expires: 8/24/97

**NOTARY**

State of Maryland  
County of Baltimore

I HEREBY CERTIFY that on this 3 day of June, 1994, before me, a Notary Public of the State of Maryland, personally appeared PATRICIA M. DIETZ, known to me to be the person whose name is subscribed to the aforesaid instrument, who acknowledged that she executed the same for the purpose therein contained.

*Scott Howard Jordon*  
Notary Public

My Commission Expires: 8/24/97

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010632.461

## NOTARY

State of Maryland  
County of Baltimore

I HEREBY CERTIFY that on this 3 day of June, 1994, before me, a Notary Public of the State of Maryland, personally appeared JOHN MICHAEL DIETZ, known to me to be the person whose name is subscribed to the aforesaid instrument, who acknowledged that he executed the same for the purpose therein contained.

Scott Howard Dietz  
Notary Public

My Commission Expires: 8/24/97

## NOTARY

State of Maryland  
County of Baltimore

I HEREBY CERTIFY that on this 3 day of June, 1994, before me, a Notary Public of the State of Maryland, personally appeared PATRICIA COLEEN DIETZ, known to me to be the person whose name is subscribed to the aforesaid instrument, who acknowledged that she executed the same for the purpose therein contained.

Scott Howard Dietz  
Notary Public

My Commission Expires: 8/24/97

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Paul Lee P.E.

010632.462

Paul Lee Engineering, Inc.  
304 W. Pennsylvania Ave.  
Towson, Maryland 21204  
410-281-5341

November 8, 1991

No. 4121 Washington Boulevard  
Part of 7209 folio 771  
13th Election District, Baltimore County, Maryland

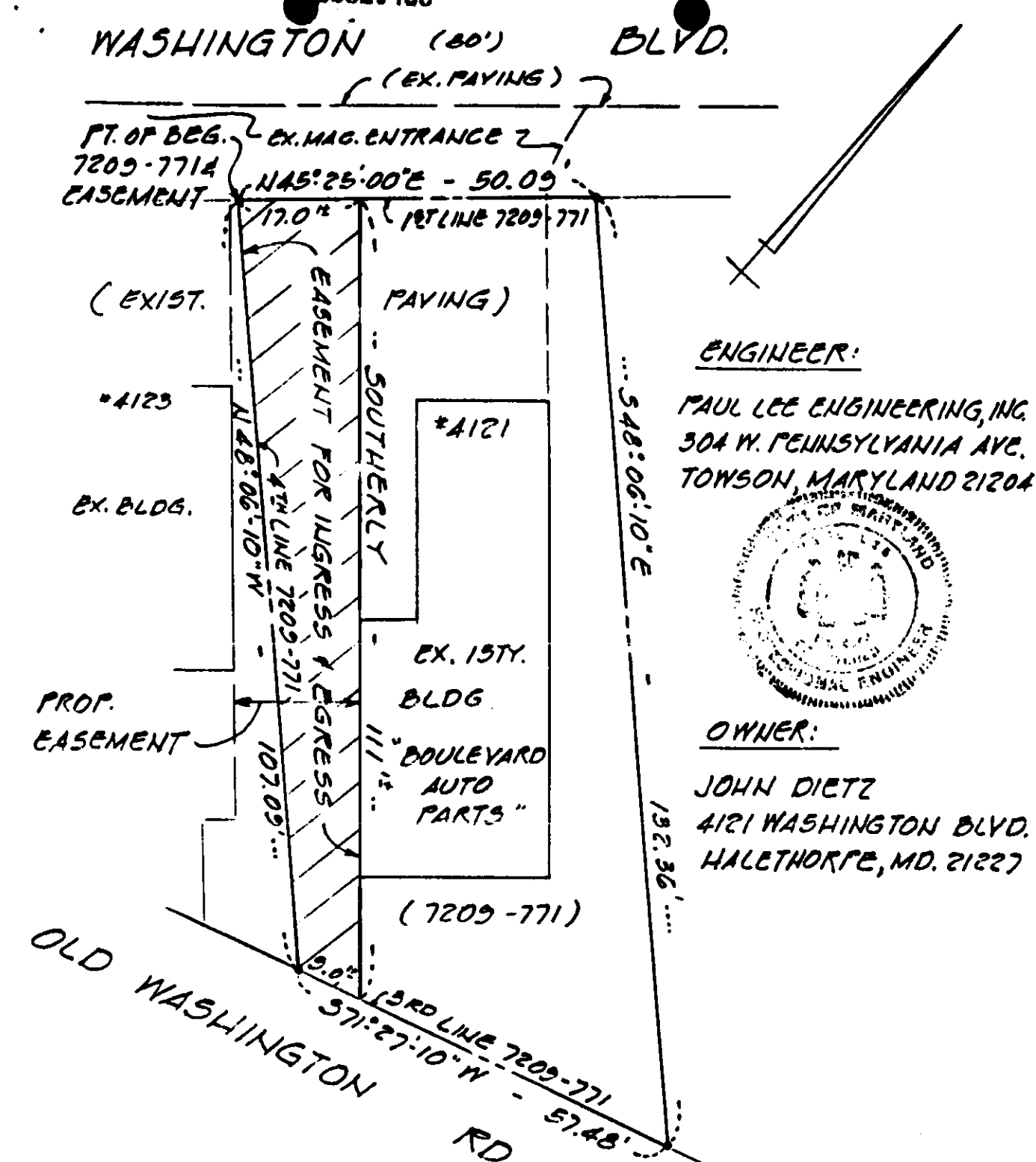
Beginning for the same on the south side of Washington Boulevard at the beginning of the 5986 square foot parcel of land which by deed dated June 24, 1986 and recorded among the land records of Baltimore County in liber 7209 folio 771 was conveyed by Legal Trustees, Inc. to John Dietz and wife, parties of the first part and Paul Joseph Dietz, et al, parties of the third part; thence running with and binding on part of the first line along the south side of Washington Boulevard, N 45°25'00" E - 17 feet<sup>2</sup>, thence running for a line of division Southerly - 111 feet<sup>2</sup> to intersect the third line, thence running with and binding on part of said third line and on the fourth line as follows: S 71°27'10" W - 9 feet<sup>2</sup> and N 48°06'10" W - 107.09 feet to the place of beginning.

EXHIBIT "A"

J.O. 91-003

Engineers - Surveyors - Site Planners

010632.463



PLAT TO ACCOMPANY DESCRIPTION  
VARIABLE WIDTH EASEMENT  
FOR INGRESS AND EGRESS  
4121 WASHINGTON BOULEVARD  
13th ELEC. DIST. BALTIMORE CO., MD.  
SCALE: 1" = 20' NOV. 14, 1991

EXHIBIT "A"-1

Paul Lee P.E.

010632.464

Paul Lee Engineering, Inc.  
304 W. Pennsylvania Ave.  
Towson, Maryland 21204  
410-281-5341

November 8, 1991

No. 4123 Washington Boulevard  
Part of 8751 folio 213  
13th Election District, Baltimore County, Maryland

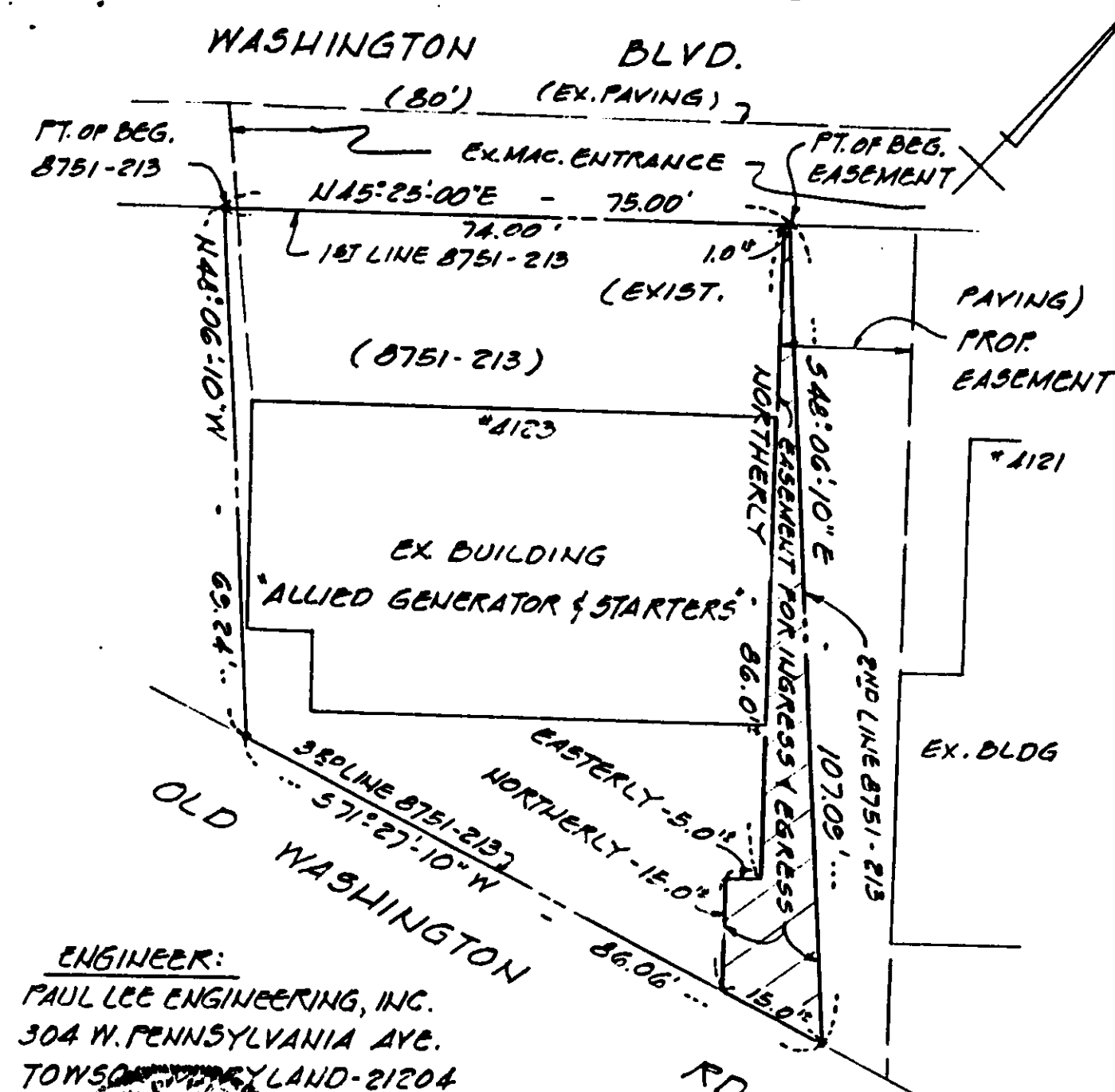
Beginning for the same on the south side of Washington Boulevard at the beginning of the second line of the 6600 square foot parcel of land which by deed dated June 28, 1989 and recorded among the land records of Baltimore County in liber 8751 folio 213 was conveyed by Robert A. Totis and wife, et al to Harry J. Huntsman and wife; thence leaving Washington Boulevard and running with and binding on the second line S 48°06'10" E - 107.09 feet<sup>2</sup>, thence running with and binding on part of the third line S 71°27'10" W - 15 feet<sup>2</sup>, thence running for a line of division in a northerly direction 15 feet<sup>2</sup>, thence in a easterly direction 5 feet<sup>2</sup>, thence in a northerly direction 86 feet<sup>2</sup>, to the south side of Washington Boulevard and to intersect the first line in deed above referred to, thence running with and binding on part of said first line along the south side thereof N 45°25'00" E - 1 foot<sup>2</sup> to the place of beginning.

EXHIBIT "B"

J.O. 91-003

Engineers - Surveyors - Site Planners

010632.465



ENGINEER:  
PAUL LEE ENGINEERING, INC.  
304 W. PENNSYLVANIA AVE.  
TOWSON, MARYLAND 21204

PLAT TO ACCOMPANY DESCRIPTION  
VARIABLE WIDTH EASEMENT  
FOR INGRESS AND EGRESS  
4123 WASHINGTON BOULEVARD  
13th ELEC. DIST. BALTIMORE CO., MD.  
SCALE: 1" = 20' NOV. 14, 1991

EXHIBIT "B"-1

010632.466

Paul Lee P.E.

Paul Lee Engineering, Inc.  
304 W. Pennsylvania Ave.  
Towson, Maryland 21204  
410-281-5341

November 8, 1991

Nos. 4121 and 4123 Washington Boulevard  
13th Election District, Baltimore County, Maryland

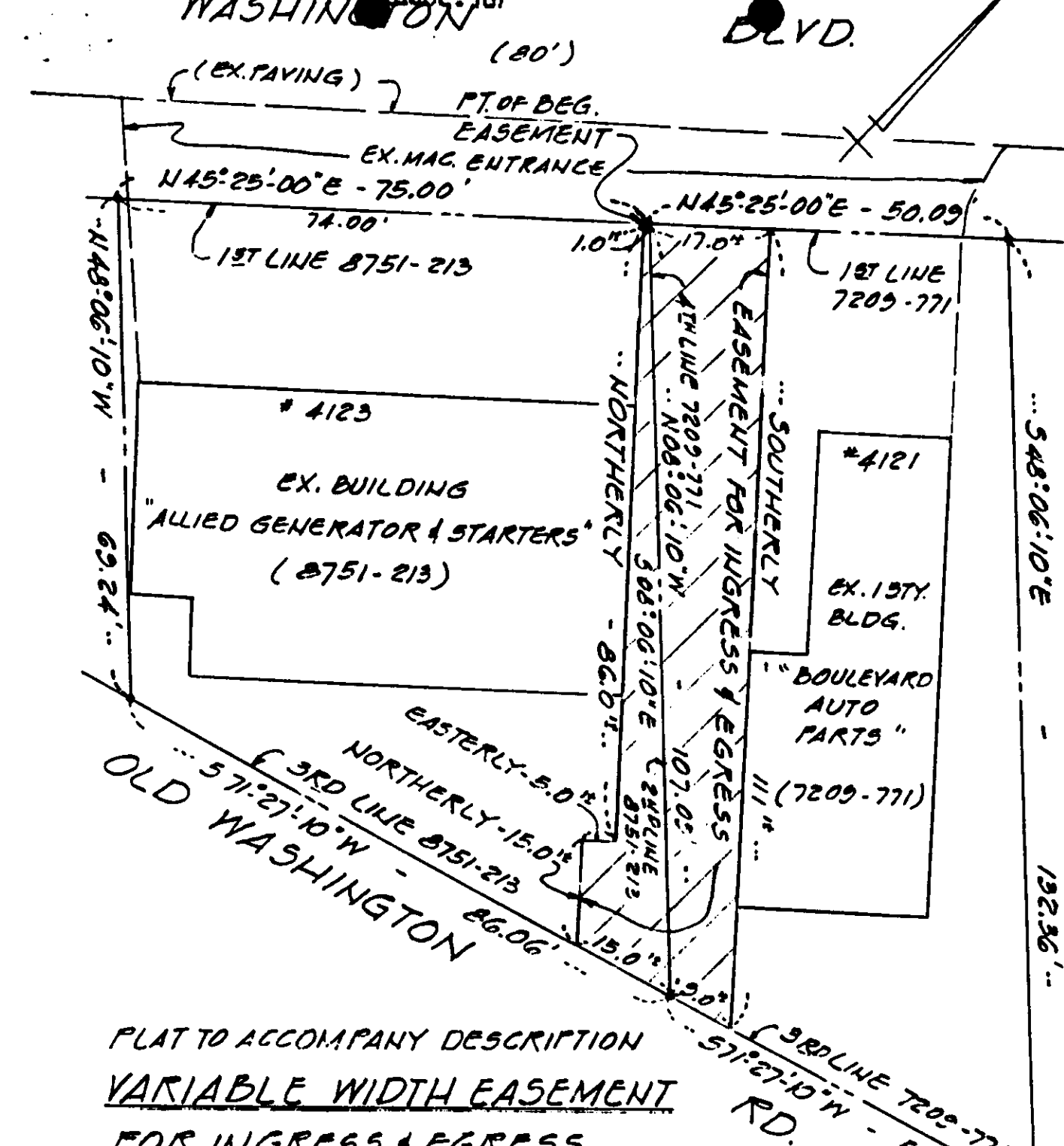
Beginning for the same on the south side of Washington Boulevard at a point on the first line of the 6600 square foot parcel of land which by deed dated June 28, 1989 and recorded among the land records of Baltimore County in liber 8751 folio 213 was conveyed by Robert A. Totis and wife, et al to Harry J. Huntsman and wife; said point of beginning being 74 feet<sup>2</sup> measured northeasterly along said first line from the beginning thereof, thence running with and binding on part of the first line along the south side thereof N 45°25'00" E - 1 foot<sup>2</sup> to the beginning of the 5986 square foot parcel of land which by deed dated June 24, 1986 and recorded among the land records of Baltimore County in liber 7209 folio 771 was conveyed by Legal Trustees, Inc. to John Dietz and wife, parties of the first part and Paul Joseph Dietz, et al, parties of the third part; thence running with and binding on part of the first line along the south side thereof N 45°25'00" E - 17 feet<sup>2</sup>, thence running for a line of division in a southerly direction 111 feet<sup>2</sup> to intersect the third line in deed 7209 folio 771, thence running with and binding on part of the third line S 71°27'10" W - 9 feet<sup>2</sup> to the beginning of the third line in deed 8751 folio 213, thence running with and binding on part of said third line S 71°27'10" W - 15 feet<sup>2</sup>, thence running for three lines of division as follows: in a northerly direction 15 feet<sup>2</sup>, in a easterly direction 5 feet<sup>2</sup>, and in a northerly direction 86 feet<sup>2</sup> to the place of beginning.

EXHIBIT "C"

J.O. 91-003

Engineers - Surveyors - Site Planners

010632.467



PLAT TO ACCOMPANY DESCRIPTION  
VARIABLE WIDTH EASEMENT  
FOR INGRESS AND EGRESS  
4121 & 4123 WASHINGTON BLVD.  
13th ELEC. DIST. BALTIMORE CO., MD.  
SCALE: 1" = 20' NOV. 14, 1991

PAUL LEE ENGINEERING, INC.  
304 W. PENNSYLVANIA AVE.  
TOWSON, MARYLAND 21204

EXHIBIT "C"-1